

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
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PCT

INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

Date of Mailing
 (day/month/year)

29 September 2004

Applicant's or agent's file reference

4239-66903

PAYMENT DUE

within 15 days
 from the above date of mailing

International application No.

PCT/US03/29833

International filing date

(day/month/year) 18 September 2003 (18.09.2003)

Applicant

THE GOVERNMENT OF THE UNITED STATES OF AMERICA

1. This International Searching Authority

(i) considers that there are 61 (number of) inventions claimed in the international application covered by the claims indicated below/on an extra sheet:
 Please See Continuation Sheet

DOCKETED FOR: 10.14.04

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated below/on an extra sheet:
 Please See Continuation Sheet

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(ii) has carried out a partial international search (see Annex) will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.: 1-20 and 25.

38

(iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid.

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

\$210.00 X 60 = \$12,600.00
 Fee additional per invention number of additional inventions total amount of additional fees

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the ISA/US
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 Commissioner for Patents
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 Alexandria, Virginia 22313-1450
 Facsimile No. (703) 305-3230

Form PCT/ISA/206 (July 1992)

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International application No.
PCT/US03/29833

This International Search Authority has found 61 inventions claimed in the International Application covered by the claims indicated below:

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claim(s) 1-20 and 25-38, drawn to *P. ariasi* salivary polypeptides, nucleic acids, vectors, host cells and methods.

Group II, claim(s) 21-24, drawn to antibodies that bind *P. ariasi* salivary polypeptides.

Group III, claim(s) 39-58 and 64-76, drawn to *P. perniciosus* salivary polypeptides, nucleic acids, vectors, host cells and methods.

Group IV, claim(s) 59-62, drawn to antibodies that bind *P. perniciosus* salivary polypeptides.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In order for more than one species to be examined, the appropriate additional examination fees must be paid. The species are as follows:

The antibodies of Group II that bind different polypeptides of Group I:

SEQ ID NO:1,
SEQ ID NO:3,
SEQ ID NO:5,
SEQ ID NO:7,
SEQ ID NO:9,
SEQ ID NO:11,
SEQ ID NO:13,
SEQ ID NO:15,
SEQ ID NO:17,
SEQ ID NO:19,
SEQ ID NO:21,
SEQ ID NO:23,
SEQ ID NO:25,
SEQ ID NO:27,
SEQ ID NO:29,
SEQ ID NO:31,
SEQ ID NO:33,
SEQ ID NO:35,
SEQ ID NO:37,
SEQ ID NO:39,
SEQ ID NO:41,
SEQ ID NO:43,
SEQ ID NO:45, and
SEQ ID NO:47.

The polypeptides and nucleic acids of Group III as follows:

SEQ ID NO:49,
SEQ ID NO:51,
SEQ ID NO:53,
SEQ ID NO:55,
SEQ ID NO:57,
SEQ ID NO:59,
SEQ ID NO:61,
SEQ ID NO:63,
SEQ ID NO:65,
SEQ ID NO:67,
SEQ ID NO:69,
SEQ ID NO:71,
SEQ ID NO:73,
SEQ ID NO:75,
SEQ ID NO:77,
SEQ ID NO:79,
SEQ ID NO:81, and
SEQ ID NO:83.

INVITATION TO PAY ADDITIONAL FEES

International application No.
PCT/US03/29833

The antibodies of Group IV that bind different polypeptides of Group III:

SEQ ID NO:49,
SEQ ID NO:51,
SEQ ID NO:53,
SEQ ID NO:55,
SEQ ID NO:57,
SEQ ID NO:59,
SEQ ID NO:61,
SEQ ID NO:63,
SEQ ID NO:65,
SEQ ID NO:67,
SEQ ID NO:69,
SEQ ID NO:71,
SEQ ID NO:73,
SEQ ID NO:75,
SEQ ID NO:77,
SEQ ID NO:79,
SEQ ID NO:81, and
SEQ ID NO:83.

1. This International Searching Authority considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated below:

The inventions listed as Groups I-IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the claims are drawn to distinct chemical compounds that are not linked by a specific structure and function and as such lack a corresponding technical feature. Each of the claimed polypeptides from *P. ariasi* and *P. perinciosus* are from a different species and lack a common core structure each with the other and as such do not possess a technical feature in common. Therefore, the polypeptides and antibodies of *P. ariasi* and *P. perinciosus* lack a special technical feature in common. Therefore, they do not possess a single general inventive concept.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: each of the polypeptides lack an identical common core structure and function which provides for a special technical feature with in the meaning of PCT Rule 13.2. Each of the species of polypeptides has a different chemical structure that lacks a common core structure with each of the other claimed species of polypeptides and as such, each of the species do not relate to a single general inventive concept because they lack a corresponding special technical feature in common. Similarly, the antibodies which bind the different species of polypeptides, similarly lack a special technical feature in common.